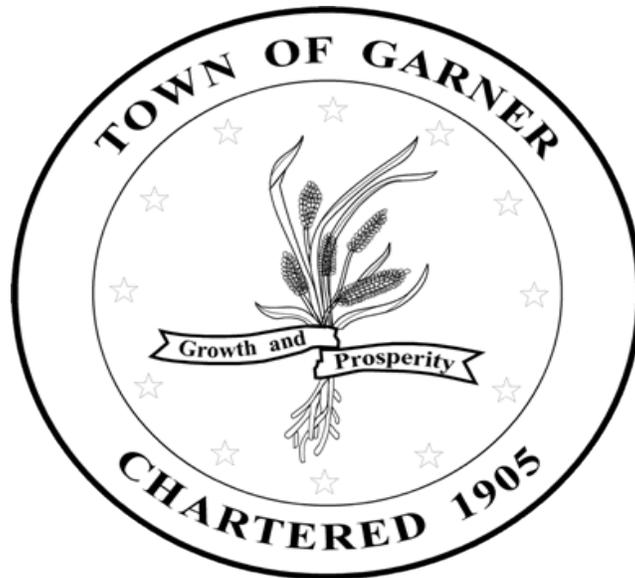


TOWN OF GARNER



TOWN COUNCIL WORK SESSION

July 26, 2016
6:00 p.m.

Garner Police Department
Training Room

**Town of Garner
Work Session Agenda
July 26, 2016**

Dinner will be served for town officials in the Conference Room at 5:15 p.m.

The Council will meet in a Work Session at 6:00 p.m. on Tuesday, July 26, 2016 in the Garner Police Department Training Room located at 912 7th Avenue.

A. CALL MEETING TO ORDER/ROLL CALL

B. ADOPTION OF AGENDA

C. REPORTS/DISCUSSION

1. Response to the President's 21st Century Task Force Report on Policing Page 3
Presenter: Chief Zuidema, Police Chief

This will be an overview of the Garner Police Department's published response to the findings and recommendations of the President's 21st Century Task Force on Policing.

2. Bond, Capital Priority Project and Emerging Needs Funding Update Page 29
Presenter: John Hodges, Assistant Town Manager-Development Services

During recent budget discussions, Council gave staff prioritization of Capital Priority Projects and Emerging Needs that were originally identified during the 2016 Council Retreat. Staff will present recommendations for funding these projects and provide an update on funding availability for active bond projects. Staff recommends establishing a time line for subsequent bond project discussions in preparation for future bond issuances.

3. Parks, Recreation & Cultural Resources Department Reorganization Page 31
Presenter: Sonya Shaw, PRCR Director

The Parks, Recreation and Cultural Resources Department is recommending an organizational restructure, which will include an increase of \$5,741 in staff costs to upgrade the Recreation Administration Specialist, Grade 20, position to the proposed Athletics Programs Supervisor, Grade 23, position. The PRCR department will assume associated costs of \$5,741 in its current budget. No additional funding will be requested for this recommended organizational change.

4. Employee Policy Manual Review Page 35
Presenter: BD Sechler, Human Resources Director

Annual review of current policies and updates. Several new policies are also being recommended.

5. Town of Garner Flag Page 50
Presenter: Rick Mercier, Communications Manager

Staff has incorporated Council's requested revisions to the proposed Garner flag design.

6. Purchase of Property Page 52
Presenter: Rodney Dickerson, Town Manager

The Town Council will consider purchase of property located at 8025 Country Club Road, Garner NC for use as park, recreation or open space. The property consists of 120.81 acres and is currently developed as a golf course. The Council will also consider a proposed short-term lease back agreement.

Action: Authorize Purchase Contract and Lease Agreement

- D. COMMITTEE REPORTS
- E. MANAGER REPORTS
- F. ATTORNEY REPORTS
- G. COUNCIL REPORTS
- H. ADJOURNMENT

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 26, 2016		
Subject: Police Department response to President's 21st Century Task Force on Policing Report		
Location on Agenda: Reports		
Department: Police		
Contact: Chief Brandon Zuidema		
Presenter: Chief Brandon Zuidema		
Brief Summary: This will be an overview of the Garner Police Department's published response to the findings and recommendations of the President's 21st Century Task Force on Policing.		
Recommended Motion and/or Requested Action: None - informational only		
Detailed Notes: See attached slides.		
Funding Source: N/A		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	BVZ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Garner Police Department

Response to the President's 21st Century Task Force Report on Policing



July 2016 Presentation to Garner Town Council

Policing in the United States

- Throughout the history of our country, there have been periods of unrest between citizens and the police that serve them.
- A string of events involving concerns with police actions involving minority suspects, including but not limited to the incident in Ferguson, Missouri in August 2014 have raised the level of concern once again in our country.
- Concerns have been voiced with police use of force, transparency, and community relations.

The President's Task Force

- December 2014 – President Obama issued an executive order appointing an 11-member task force on 21st century policing.
- This is not an unprecedented move on the part of the President. In 1929, the National Commission on Law Observance and Enforcement (aka the Wickersham Commission) was formed by President Hoover to address law enforcement concerns.
- The most recent notable federal effort was President Johnson's Commission on Law Enforcement and Administration of Justice in 1965.

The President's Task Force

- “The Task Force shall, consistent with applicable law, identify best practices and otherwise make recommendations to the President on how policing practices can promote effective crime reduction while building public trust.”
- The task force held seven hearings with 140 witnesses.
- Issued their final report in May 2015.
- Generated 59 recommendations and 92 action items.
- We consider the final report to be both a road map and a report card for professional law enforcement agencies in North Carolina and the United States

The Six Pillars

- The Task Force focused their efforts around the following six pillars:
 - 1) Building Trust and Legitimacy
 - 2) Policy and Oversight
 - 3) Technology and Social Media
 - 4) Community Policing and Crime Reduction
 - 5) Training and Education
 - 6) Officer Wellness and Safety

The GPD Response

- February 2016 – assigned each of six command staff members one of the six pillars for research and report back.
- Looked at what had we already been doing and what we needed to do or consider going forward
- Goal was three-fold:
 1. Use the report as an informal report card to identify strengths and areas for improvement
 2. Generate a formal response to the report
 3. Tie our action items to our Strategic Plan

The GPD Response

- Our response includes highlighting the good work of the men and women of GPD.
- It also includes a total of 17 action items and 9 areas for ongoing focus and “maintenance.”
- We have established a timetable that includes addressing 10 of the 17 action items this calendar year, 5 more in FY’17, and the final 2 by the end of 2018 (because of limitations on training availability).

The Six Pillars

Pillar One: Building Trust and Legitimacy

“People are more likely to obey the law when they believe that those who are enforcing it have the legitimate authority to tell them what to do. The public confers legitimacy only on those they believe are acting in procedurally just ways.”

Building trust and legitimacy on both sides of the police/citizen divide is the foundational principle underlying the nature of relations between law enforcement agencies and the communities they serve.

Pillar One – Building Trust & Legitimacy

GPD Evaluation

Strengths:

- Mission and Values
- Ongoing community meetings
- Outreach to ACLU, NAACP
- Our “default” has consistently been transparency
- Strong Internal Affairs process
- Community involvement – Citizens Academy, Civic Organizations, PAAL, SCOR, etc

Areas for Improvement:

- Diverse workforce
- Posting of all Department policies online
- Expansion of social media

The Six Pillars

Pillar Two: Policy and Oversight

“Citizens have a Constitutional right to freedom of expression, including the right to peacefully demonstrate.”

If the police are to carry out their responsibilities according to established policies, those policies must reflect community values.

Pillar Two – Policy and Oversight

GPD Evaluation

Strengths:

- Neighborhood Watch and Homeowners Associations
- Citizens Police Academy
- Use of Force policy, investigation, and analysis
- Internal Affairs Manual
- No quotas / no revenue from enforcement
- Bias Free Policing emphasis

Areas for Improvement:

- After Action review
- Expansion of policy on profiling and discrimination

The Six Pillars

Pillar Three: Technology and Social Media

“Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy.”

The use of technology can improve policing practices and build community trust and legitimacy, but its implementation must be built on a defined policy framework with its purposes and goals clearly delineated.

Pillar Three – Technology and Social Media

GPD Evaluation

Strengths:

- Technology use
- In-depth evaluation of body cameras
- Compliance with public records law
- Active on some social media

Areas for Improvement:

- Technology for capturing / securing some evidence
- Expansion of social media efforts

The Six Pillars

Pillar Four: Community Policing & Crime Reduction

“Community policing requires the active building of positive relationships with members of the community.”

Community policing emphasizes working with neighborhood residents to co-produce public safety.

Pillar Four – Community Policing & Crime Prevention

GPD Evaluation

Strengths:

- Strategic Plan
- Emphasis on “consistent and fair”
- Community involvement (recent Bojangles event)
- Involvement with NCACP & IACP
- CAPT Team
- Citizens Police Academy
- WCPSS Partnership / SRO Program

Areas for Improvement:

- Closer working relationship with faith leaders
- Expansion of Crisis Intervention Training program

The Six Pillars

Pillar Five: Training and Education

“Hiring officers who reflect the community they serve is important not only to external relations but also to increasing understanding within the agency.”

As our nation becomes more pluralistic and the scope of law enforcement’s responsibilities expands, the need for expanded and more effective training has become critical.

Pillar Five – Training & Education

GPD Evaluation

Strengths:

- Commitment to training at all levels of the organization
- CIT program
- Implicit Bias training

Areas for Improvement:

- Input from and working relationships with special interest groups
- Educating our staff on LGBTQ encounters

The Six Pillars

Pillar Six: Officer Wellness & Safety

“The wellness and safety of law enforcement officers is critical not only for the officers, their colleagues, and their agencies but also to public safety.”

An officer whose capabilities, judgment, and behavior are adversely affected by poor physical or psychological health not only may be of little use to the community he or she serves but also may be a danger to the community and to other officers.

Pillar Six – Officer Wellness & Safety

GPD Evaluation

Strengths:

- Mandatory fitness program
- Town’s wellness initiative
- We provide vests, helmets, and “go bags” for our sworn staff
- Mandatory wear of body armor, traffic vests, seat belts

Areas for Improvement:

- Employee physicals
- Police suicide training
- “Under 100” training

GPD's 17 “Action Items”

As the result of our review of the Task Force report and our self-evaluation, we have identified seventeen (17) action items that we intend to address going forward.

Some of these are a simple one-step process, while others are more involved and will occur over a period of time.

These action items will be incorporated into our Strategic Plan and will be reported on in our Annual Report.

GPD's 17 “Action Items”

- 1) We will post our Department policies online by 12/31/16.
- 2) We will have all of our first responders CIT trained by the time they complete two years of service.
- 3) We will consider alternative scheduling to allow for employee flexibility.
- 4) We will follow-up with the group Si A Las Licencias NC to discuss a partnership with them.
- 5) We will add specific language regarding the release of use of force incident information to our Internal Affairs manual.

GPD's 17 "Action Items"

- 6) We will revise our employee business cards to include information on how to provide feedback on interactions with the GPD.
- 7) We will update our search and seizure policies to specifically address the LBGTQ community.
- 8) We will update our policy to specifically address all groups identified by the Task Force report as potentially being subjected to profiling and/or discrimination.
- 9) Assuming the receipt of grant funding, we will conduct an evaluation process for body cameras that will include internal and external review and policy input.

GPD's 17 "Action Items"

- 10) We will host a community meeting with faith based leaders to discuss the possibility of an ongoing working group.
- 11) We will host semi-annual open community forums.
- 12) We will reach out to advocacy groups in the area for input and feedback on reducing bias and enhancing officer awareness.
- 13) We will ensure that our policies provide appropriate guidance for interaction with Muslim, Arab, and South Asian communities, and immigrant or non-English speaking groups.

GPD's 17 "Action Items"

- 14) We will collaborate with Town Human Resources to research implementation of mandatory annual physicals.
- 15) We will send personnel to a "train the trainer" program in order to then provide the "Below 100" program here.
- 16) We will send personnel to a "train the trainer" program in order to then provide police suicide awareness training to our staff.
- 17) We will expand our efforts in tracking officer injury and "near misses" to include annual analysis of injuries and near misses in order to prevent future incidents whenever possible.

President's 21C Task Force Report

Questions?

Feedback?

Suggestions?



Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 26, 2016		
Subject: Bond, Capital Priority Project and Emerging Needs Funding Update		
Location on Agenda: Reports		
Department: Town Manager's Office		
Contact: John Hodges, Assistant Town Manager-Development Services		
Presenter: John Hodges, Assistant Town Manager-Development Services		
<p>Brief Summary:</p> <p>During recent budget discussions, Council gave staff prioritization of Capital Priority Projects and Emerging Needs that were originally identified during the 2016 Council Retreat. Staff will present recommendations for funding these projects and provide an update on funding availability for active bond projects. Staff recommends establishing a time line for subsequent bond project discussions in preparation for future bond issuances.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Provide Guidance</p>		
<p>Detailed Notes:</p> 		
<p>Funding Source:</p> <p>Various</p>		
Cost: Various	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<p>Manager's Comments and Recommendations:</p> 		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JMH	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Town Manager's Office Memorandum

TO: Mayor and Town Council

FROM: John Hodges
Assistant Town Manager – Development Services

DATE: July 20, 2016

SUBJECT: Bond, Capital Project and Emerging Needs Funding Update

During recent budget discussions, Council gave staff prioritization of Capital Priority Projects and Emerging Needs that were originally identified during the 2016 Council Retreat. Staff will present recommendations for funding these projects and provide an update on funding availability for active bond projects at the July 26, 2016 work session.

An overview of the items and funding sources follows. Additional details will be presented at the work session for discussion and guidance.

PROJECT	ESTIMATE	FUNDING SOURCE
Shelter at Garner Rec Park	\$85,000	Surplus Parks and Recreation Bond Funds
Resurface Parking – GRP	\$90,000	Surplus Parks and Recreation Bond Funds
Storm Water Infrastructure Study	\$75,000	Hwy 70/White Oak Project Surplus
Bryan Road Joint Use (Garner half)	\$226,000	Park Development Reserve Funds
BMP at Lake Benson Park	\$75,000	Stormwater Infrastructure Reserve Funds
Parking at Lake Benson Park	\$65,000	Surplus Parks and Recreation Bond Funds
Rand Mill Road Park Repairs	\$15,000	Streets & Sidewalk Bonds - Neighborhood Improvement
Benson Road Sidewalk Drainage	\$50,000	Streets & Sidewalk Bonds - Neighborhood Improvement
Parking Lot – Pearl & Main	\$175,000	Redevelopment Bonds – Storm Water Facilities
Hwy 50 Bridge Enhancements	\$500,000	Streets & Sidewalk Bonds
Garner Rd. Sidewalk to Perdue	TBD	Streets & Sidewalk Bonds - Neighborhood Improvement

Staff will also present an update on funding availability for active bond projects and recommendations for moving forward with proposed bond projects. A time line for subsequent bond project discussions is recommended to prepare for future bond issuances.

If you have questions prior to the work session, please let me know.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 26, 2016		
Subject: PRCR Reorganization		
Location on Agenda: Discussion		
Department: PRCR		
Contact: Sonya Shaw, PRCR Director		
Presenter: Sonya Shaw, PRCR Director		
<p>Brief Summary:</p> <p>The Parks, Recreation and Cultural Resources Department is recommending an organizational restructure, which will include an increase of \$5,741 in staff costs to upgrade the Recreation Administration Specialist, Grade 20, position to the proposed Athletics Programs Supervisor, Grade 23, position. The PRCR department will assume associated costs of \$5,741 in its current budget. No additional funding will be requested for this recommended organizational change.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Consider Organizational Change</p>		
<p>Detailed Notes:</p> 		
<p>Funding Source:</p> <p>PRCR budget</p>		
Cost: \$5,741	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<p>Manager's Comments and Recommendations:</p> 		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SS	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

To: Rodney Dickerson, Town Manager
From: Sonya Shaw, Parks, Recreation and Cultural Resources Director
Date: 7/1/16
Re: PRCR Staff Reorganization

Over the past six months, the PRCR Administrative team has reviewed and discussed a proposed reorganization, to manage the growth and future development of youth and adult athletic programs, as well as, Town special events. Over the past year, both the Youth and Adult Athletics and Cultural Arts and Events programming teams have experienced growth in programming and attendance.

With the transitioning of the Recreation Program Specialist from part-time to fulltime, the Youth and Adult Athletics team experienced immediate growth in youth programs, classes and sports. Increases have been noted in preschool arts classes, camps and sports programs. In particular, summer camps have increased from averaging 50-60 participants per week to 85 participants- and we're just into our 3rd week of camp.

With the hiring of a new Recreation Activities Specialist position (part-time), afterschool open gym programs have also noticed increasing numbers, averaging 50-60 youth participants per school day.

Recently, this programming team also recognized the need to increase recreational opportunities for adults. Marcelle Williams, currently serving as Recreation Administration Specialist, has been working with this programming team to revamp the Adult Basketball league. In the first season, Mr. William's efforts resulted in the league doubling the number of teams from 5 to 11 and increasing revenues by an additional \$2,500. As a result, Administration explored the idea of transitioning Marcelle to the Youth and Adults Athletics team permanently, in order to continue his work in this area and expand into both youth and adult athletic programming. With over 15 years of experience in Athletic Programming and Supervision, Marcelle will be a huge asset to the team in current and future programming and facility operation needs.

Instead of waiting until the new recreation center opens, Administration is recommending Marcelle transition to the Youth and Adult Athletics Team, effective August 2016. The following will be necessary to complete the transition:

- Approval of a position upgrade of Marcelle's current position, Recreation Administration Specialist, Grade 20, to Athletics Program Supervisor Grade 23, costing the department roughly \$5,741. (Nearly half of this amount has been recognized in revenue increases during his first season of revamping the Adult Basketball League). The department will assume these proposed reorganization costs and not request additional funding to support this effort. Administration will work with HR Director on necessary steps to complete this position upgrade request.
- Relocation of Mr. Williams to Avery Street. The small meeting room beside Jack's office will become an Athletic Office and house Marcelle and evening part-time staff.

- Delegating Marcelle's current duties to Senior Center staff and part-time staff.
- Relocating PRCR signage near the Senior Center main building entrance. All main office traffic will flow to the main entrance of the Senior Center.

Once the new recreation center opens, the department will revisit and propose an Administrative Recreation Specialist position. During the interim, Administration is willing to temporarily forego this position in order to minimize costs of new positions that will be needed to operate the new recreation center. This transition will allow the department to continue jump-starting programming and operational needs for the new recreation center.

Cultural Arts and Events

Due to the increasing attendance of what was once considered smaller Town events, Administration has discussed transitioning Kendrick Mayes from the Outdoor and Adventure team to Cultural Arts and Events team. Mr. Mayes has increased both the attendance and sponsorship involvement in Eggstravaganza and Trick-or-Treat the Trails events and continues increasing marketing opportunities for the department. Attendance has increased to well over 5,000 participants for these events and sponsorships have increased to well over 70 local business and community agencies. Administration recognizes the need to improve sponsorship efforts and regroup special events under one programming team, in order to maximize these efforts and continue building local business partners.

The following will be necessary to complete the transition:

- Relocation of Mr. Mayes to the Avery Street Annex office July 2016.

Once the office is prepared, Kendrick can relocate to the Annex office in July.

Administration met individually with each staff member affected to gain feedback on the proposed reorganization in May 2016, after having a brief discussion with you on the reorganization. We allowed over a month to pass in order to give staff time to process, ask questions and identify any programming loop holes or duties we may have missed working through the reorganization. In mid-June, Administration discussed the reorganization with all department managers to continue the dialogue and provided a broader perspective on the proposed reorganization. Managers have since met with their staff members to share information about the proposed reorganization and gained positive feedback on proposed changes.

Let me know if you have questions or if additional information is needed.

Proposed Reorganization of Garner Parks, Recreation and Cultural Resources Department

Each programming team

- Assist Patrons; Registration/Rentals
- Service Learning, Internships, Student projects

Administration

- Oversight Management of Department
- Park and Facility Enhancement
- Accreditation
- Special Projects
- Collaborations, Partnerships and Community Outreach
- Advisory Committee
- Grants

ADMINISTRATION

- Director**
Sonya Shaw
- Asst. Director**
Rob Smith

Restructure consists of 5 programming teams

- Administration
- Cultural Arts and Events
- Youth and Adult Athletics
- Adults and Seniors
- Outdoor and Adventure

CULTURAL ARTS & EVENTS

Cultural Arts and Events Manager
Debbie Dunn

Theatre Services Coordinator
Jon Shearin

Events and Box Office Coordinator
Jill McAllister

Marketing and Events Coordinator
Kendrick Mayes

Temp. Staff-Technicians & Attendants (PT)

Cultural Arts & Events

- Auditorium Operations, Special Programs & Rentals
- Performance Series- Concerts, Performing Arts, Family, School Shows, etc.
- Special Event Rentals
- Sponsorship Development
- Town-wide Special Events
- Volunteer Recruitment
- Concessions
- Media/Marketing
- Brochure and Website

YOUTH & ADULT ATHLETICS

Recreation Center and Program Manager
Jack Baldwin

Recreation Program Specialist
Sara Shaw

Athletics Program Supervisor
Marcelle Williams

Rec. Activities Specialist (PT)
Vic Davis, Sr.

Temp Staff –Instructors, Attendants, Leaders, Officials, Scorers, Timers (PT)

Youth & Adult Athletics

- New Recreation Center Development
- All Recreation Facilities- Avery Street, Annex
- Preschool, Youth, Teens and Adult Sports
- Summer Camps, Specialty/Hobby Classes
- School Days Out
- Afterschool
- Open Gym
- Programming Partners
- Ball Field Rentals & Maintenance

ADULTS & SENIORS

Recreation Center and Program Manager
Torrey Blackmar

Asst. Recreation Center and Program Manager Senior Center
Nancy Hulbert

Rec. Activities Specialist (PT)
TBA

Temp Staff –Instructors, Attendants (PT)

Adults & Seniors

- Senior Center
- Senior Programs
- Resources for Seniors
- Meals on Wheels
- Adult Fitness
- Rentals and Facility events
- Sponsorships
- Partnerships
- Volunteer Recruitment
- Assist Administration

OUTDOOR & ADVENTURE

Outdoor Education and Parks Manager
Katie Spencer

Outdoor Educators (PT)

Temp. Staff – Leaders, Attendants, Operators, Volunteers (PT)

Outdoor & Adventure

- White Deer Park/Lake Benson Park, Nature Center & Boathouse, Veterans Memorial- Operations, Management & Programs
- Nature and Environmental Education Programs
- Special Event Permits
- Greenways, Trails
- Dog Parks
- Groundhog Day, Movies and Camping, Memorial & Veterans Day

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 26, 2016		
Subject: Employee Policy Manual Review		
Location on Agenda: Discussion		
Department: Human Resources		
Contact: BD Sechler, Human Resources Director		
Presenter: BD Sechler, Human Resources Director		
Brief Summary: Annual review of current policies and updates. Several new policies are also being recommended.		
Recommended Motion and/or Requested Action: Review of modified policies and new policies in employee handbook.		
Detailed Notes: Individual policies are attached.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	BDS	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

D R A F T

Employee Identification & Access Badge Policy

PURPOSE

As part of the Town's commitment to safety and security, the Town of Garner has developed an employee identification (ID) & access badge policy. The goal of this policy is to provide an extra level of safety and security by requiring employees to display their photo ID badges. These badges will allow staff, customers, and citizens to quickly identify individuals as Town of Garner employees as well as allowing employees access to secured Town facilities.

POLICY GUIDELINES

All full time, part time, seasonal, supplemental employees, elected officials and volunteers will be issued a Town ID badge. The Town issued photo ID badge shall contain either the Town of Garner seal or the police badge, in the case of sworn and full time civilian police department employees, the employee's picture, name, department and employee ID number (if applicable.)

All full and part time employees and elected officials ID badges will also provide them with access to approved secure areas within Town facilities. Seasonal employees, supplemental employees and volunteers will be granted security access, by request, with Department Head approval to those areas relevant to their specific job assignment and the wellness facility.

All on-duty employees and volunteers will be required to have their Town issued photo ID badge in their possession. Each department head or his/her designee will be responsible for ensuring that badges are worn as required, per department safety policy. Employees and or volunteers not in an official town uniform must wear their badge displayed face forward and in full view. Badges must be on or over the outermost garment, at or above the waist, at all times.

Employees and or volunteers who are off-duty, but who are entering into an area within a Town building or facility in which the public doesn't normally have access must wear their Town issued photo ID badge in accordance with this policy.

The Human Resources department, working in partnership with the IT department, shall be responsible for administering the Town's ID & access badging policy.

ID badges will be issued to new full and part time employees during Deploy or normally upon the first day of employment for all others.

Lost or stolen badges should be reported immediately to the IT department.

The ID badge may be used only by the individual to whom it was issued. **Employees may not "loan" their ID badge to anyone for any reason.**

Upon separation, badges should be returned to HR during the exit conference or given to the Department Head prior to departure.

Failure to comply with this policy may result in disciplinary action, up to and including termination.

Call-back and On-call Pay

The Town provides a continuous twenty-four hour a day, seven-day-a-week service to its customers. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. One of the conditions of employment with the Town is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service whether special or routine, the employee shall be subject to disciplinary actions up to and including dismissal by the Town Manager.

Call-back. Persons classified as exempt from the provisions of the Fair Labor Standards Act are not eligible for call back pay. For non-exempt employees, compensable time in call back duty begins when the person leaves home and ends when the person returns home. If the employee does not go directly home after the call back, the normal travel time from the employee's residence to the applicable department building shall be added to the time when the employee left home originally plus the hours worked during the call back.

On-Call. Persons classified as exempt from the provisions of the Fair Labor Standards Act are not eligible for on-call pay. On-call duty refers to the time that an employee is required to be available and respond to emergencies that may occur from the end of his regular workday to the beginning of the next workday. Superintendents and/or supervisors make the assignments for on-call duty. The department head will approve the on-call list before it is placed into effect. Every employee on on-call duty shall remain in contact by use of a pager or his or her home telephone in accordance with the policy established by the applicable department head. The employee shall be ready to make immediate response to a call upon notification by whatever means.

Non-Exempt employees placed on on-call status will receive an additional lump sum payment for being on-call, the amount of which shall be established by the Town Council. On-call pay will be included in determining the regular rate of pay for overtime compensation. The Town Manager will be provided a copy of the on-call list prior to the list becoming effective.

Educational Assistance Program

It is the policy of the Town of Garner to provide educational opportunities to employees who desire to further their education in a career field that would benefit the Town and to increase their ability and knowledge to pursue promotional opportunities. Educational Assistance in pursuit of a Master's degree will be considered for positions that require or prefer a Master's Degree in Public Administration or related field. The Town does not provide educational assistance for courses in pursuit of a doctorate degree. The amount of educational assistance provided per employee will be determined annually based on the approved budget.

Employees interested in pursuing a degree from an accredited university or college shall submit an Educational Assistance Application form annually for Town approval. Priority will be given to employees in a degree program for which approval has been given in the prior budget year (assuming the employee continues to meet all policy requirements). **Town of Garner will reimburse the costs of registration, tuition, student and lab fees, upon completion of the course and certification by the institution that final grades meet the standards of the Town of a "C" or better up to a maximum of \$1,100 for the fiscal year. The first and/or last day of the course must be within the fiscal year for which reimbursement is requested..** ~~The Town of Garner will reimburse employees who have completed an approved course with a grade of 'C' or better. Tuition, registration fees, laboratory fees, and student fees related to the coursework are eligible expenses.~~ Employees receiving additional reimbursements for coursework from sources outside the Town may not receive total reimbursements in excess of 100 percent of the total tuition cost.

All full-time regular employees who have been employed with the Town for a minimum of six months and have successfully completed the Town's probationary period are eligible to receive this benefit. Eligible employees must be employed continuously for the entire academic session in order to qualify for reimbursement. Employees are expected to continue Town employment for one year from the date of the education reimbursement. Employees separating from Town employment prior to one year from reimbursement must repay the Town the total amount of the reimbursement(s) received for the year calculated by counting backwards one year from the last day of work. Tuition reimbursement monies owed to the Town may be deducted from any compensation received upon the employee's separation from employment.

Employees are expected to pursue coursework outside regular work hours whenever possible; however, if a particular course is only available during scheduled work hours, a request for Educational Leave may be made to the Department Head prior to course registration and subject to approval of the Department Head, Human Resources, and the Town Manager. For more information on Educational Leave, see Part VII. Section 23.

Human Resources will notify employees of the application period for participation in the Educational Assistance Program and will provide the forms for both application and reimbursement.

Fitness for Duty

The Town is committed to providing a safe workplace for employees. In order to provide a safe work environment, employees must be able to perform their job duties in a safe, secure, productive, and effective manner for the duration of their work schedule. Employees who are not fit for duty may present a safety hazard to themselves, their co-workers or the public.

Purpose

The purpose of this policy is to establish procedures and criteria by which the Town can ensure that employees are fit for duty. In addition, this policy will provide guidelines for determining light duty assignments regarding employees that are unable to perform their regular assigned duties as a result of a non-work related injury/illness/psychological condition.

Scope

This policy applies to all Town employees.

Definitions

Fit for duty - means the employee is able to perform their regular assigned duties in a safe, secure, productive, and effective manner.

Light Duty - is a temporary, modified work assignment, different from an employee's regular assignment that may be offered to employees that are unable to perform their regular assigned duties as a result of a non-work related injury/illness/psychological condition.

Roles & Responsibilities

A. Employee Responsibilities

1. Employees must come to work fit for duty, and be able to perform their job responsibilities in a safe, secure, productive, and effective manner during the entire time they are working.
2. Employees are responsible for notifying their supervisors when they are not fit for duty.
3. Employees must immediately notify their supervisors of any non-work related illness/injury/condition that may affect their ability to perform their job duties and/or compromise their safety, the safety of their co-workers, or the public.
4. Employees must notify their supervisor of any medication they are taking (prescription or over-the-counter) that may affect their ability to perform their job duties.
5. Employees must keep their supervisor updated on any subsequent changes to the status of their injury/illness/psychological condition or use of medication.
6. While performing their light duty assignment, employees must comply with the temporary work restrictions and recommendations from their personal physician.
7. Employees are responsible for notifying their supervisor when they observe a coworker acting in a manner that indicates the coworker may be unfit for duty.
8. The employee must comply with all aspects of the Fitness for Duty Policy. Failure to comply may be grounds for disciplinary action up to and including termination.

B. Supervisors Responsibilities

1. Supervisors are responsible for observing the attendance, performance, and behavior of their employees.
2. Supervisors must maintain confidentiality of the employee's medical information and records.
3. Supervisors should contact Human Resources with any questions concerning the employee's work restrictions.
4. Supervisors are responsible for ensuring compliance with all aspects of the Fitness for Duty Policy. Failure to comply may be grounds for disciplinary action up to and including termination.

Light Duty Eligibility

In order for employees to be eligible for a light duty assignment they must:

1. Provide documentation from a licensed medical provider authorizing the employee to return to work in a light duty capacity. The medical documentation must clearly define the following information:
 - a. Employee's work status
 - b. Specific work restrictions
 - c. Duration of restrictions
 - d. Medication regimen
 - e. Physical therapy schedule (if applicable)
 - f. Prognosis for recovery

Documentation shall be submitted to the immediate supervisor and forwarded through the chain of command to the department head. The department head will be responsible for providing Human Resources with a copy of the documentation. The Department Head will consult with Human Resources on the feasibility of light duty within their department or within another Town department.

Medical Clearance

The employee's personal physician will make the initial medical determination whether to clear the employee back to work following a non-work related injury/illness/psychological condition, unless the conditions listed under "Fitness for Duty Examination Procedures" exist. If the conditions exist, the Town's authorized physician will make the medical determination by conducting a fitness for duty exam.

Fitness for Duty Examination Procedures

A fitness for duty medical examination will be required by the Town's authorized physician for a non-work related injury/illness/psychological condition under the following conditions:

1. The employee's personal physician has cleared them to return to work but their supervisor or manager, based on direct observation, reasonably believes that the employee's injury/illness/psychological condition may interfere with their ability to perform their job duties safely, or could pose a direct threat to others.
2. The employee is taking medication (prescription or over-the-counter) that could interfere with their ability to perform their job duties safely, or could pose a direct threat to others.

Light Duty Criteria

The Town does not guarantee light duty assignments for employees that have a non-work related injury/illness/psychological condition. Light duty assignments will generally consist of a 40 hour work week or the employee's normal work schedule. ~~No overtime is permitted.~~ Generally, overtime is not permitted. If overtime is being considered, Human Resources must be consulted and the Town Manager must approve. Accumulated leave may be used, in the event that the employee is not able to work their normal work schedule.

Employees must meet the following criteria:

1. Employee must be capable of doing productive work for their assigned department.
2. Light duty assignments shall not exceed 90 days. In certain circumstances this period may be extended based on the treating physician recommendations, the availability of qualifying light duty assignments, and the approval of the Town Manager.
3. Employee must attend regular follow-up medical appointments.

Light Duty Assignments

If the employee qualifies for light duty, the Department Head will determine if a light duty assignment is available within their department and/or another Town department with a need for assistance.

Guidelines for determining appropriate light duty assignments:

1. Light duty assignments must comply with the employee's temporary work restrictions issued by the licensed, treating physician.
2. Assign tasks that are meaningful and valuable to the Town.
3. Light duty assignments will always have an ending date. This date may be extended as specified under "Light Duty Criteria" in this policy.

If a light duty assignment meeting the employee's work restrictions isn't available, the Department Head will contact Human Resources for assistance in securing a suitable assignment in another Town Department. The Department Head, in consultation with Human Resources, will make the final determination regarding the light duty assignment. If a light duty assignment meeting the employee's work restrictions isn't available in another department, the employee must use accrued sick, vacation, or compensatory time in order to be paid for time away from work. In such cases, the Human Resources Department should be notified so that FMLA eligibility can be assessed.

DRAFT

INCLEMENT WEATHER POLICY

Policy Purpose

The Town of Garner recognizes that severe weather conditions and other rare emergency circumstances may make it difficult to provide a full range of Town services to our citizens. This policy clarifies the designation of essential/non-essential service positions and provides direction on how to account for work hours and pay when the Town's normal operations are modified.

Declaration of an Emergency

The Town Manager will determine when emergency conditions exist that warrant the alteration of the Town's normal business operating hours of 8:00 am – 5:00 pm, Monday through Friday.

When the Town Manager alters the Town's normal work hours (late opening, early closing, or closed for the day) this decision will be communicated as soon as possible through the Weather Hotline (919-773-4455), the Town's email system, on the Town's web site, through social media and through local media outlets. Employees who are not deemed to be "essential" do not have to report to work during this time period and may qualify for inclement weather pay during this period.

Designation of Essential Service Positions

The Town provides a range of essential services that require personnel to be physically present at work to respond to emergency situations regardless of the weather conditions. (Those services include, but are not limited to sworn Police staff and operational Public Works staff.) Department heads are responsible for designating employees as essential in the event of inclement weather or other emergency conditions. Essential staff is expected to report to work during emergency situations unless specifically directed not to report to work. Employees should be clear on their designation as "essential" in advance of an emergency event. Essential staff are expected to follow departmental leave request policies, and use accrued leave time (sick, vacation, comp) to cover missed work time during the emergency event.

When severe weather is predicted, the Town may make special arrangements for essential staff in order to ensure their availability to work. These provisions may include allowing personnel to drive Town vehicles home, arranging for hotel rooms and meals, or setting up sleeping quarters on-site. "Essential" must be noted on the employee's timesheet before submission to payroll after an emergency closing event.

Eligibility for Inclement Weather Pay

When Town operations are closed for a full day (maximum of 8 hours), a fulltime employee whose job is not deemed to be essential is eligible to receive inclement weather pay only when the employee was scheduled for work and planning to attend work during the closing period. Employees who are out on sick leave immediately before and immediately following an inclement weather period, are assumed to be sick, and must use sick leave to account for the absence during the period of inclement weather closure. Likewise, employees who are scheduled to be on vacation during the inclement weather period must use vacation leave unless they notify their supervisor that the vacation plans are canceled due to the emergency conditions and they report to work immediately following the inclement weather period.

When the inclement weather period is granted for partial days, the following shall apply:

Delayed Opening – When the Town Manager sets a specific opening time, employees who work non-standard hours (i.e., 7:00–4:00 or 7:30–4:30) would apply the delay period to their normal work schedule. For example, if Town Hall is on a 2-hour delay, then employees who normally report at 7:30 am will report at 9:30 am unless other arrangements are made with their supervisor. Employees who are not scheduled to be at work during the delay period do not receive any inclement weather pay for this period.

Early Closing – If the Town Manager sets a specific closing time for Town offices (i.e., 2:00 p.m.) then employees receive inclement weather pay only from the time of closing. Employees are expected to work a normal schedule until the official closing time unless instructed otherwise. Employees who are not scheduled to be at work during the early closing period do not receive any inclement weather pay for this period. (i.e. – shift ends at 3:00 PM and early close is set for 4:00 PM)

Staff safety is our highest priority. In the event Town operations are NOT closed, but the employee determines it is best for him or her to leave or not report to work based upon weather related conditions that would impact their safe travel, the employee will be allowed to do so and must use accrued leave or comp time to be compensated for the time away from work. Staff should communicate directly with their immediate supervisor, as soon as they can to make their intentions known.

Compensation for Essential Staff during Inclement Weather Periods

Non-exempt essential personnel are paid for all hours worked at straight time or over time per FLSA requirements. Those working during periods when Town Hall is officially closed are paid an additional straight time hour of pay for each hour Town Hall is closed, not to exceed 8 per day. This additional “premium pay” is not paid on weekends or Town holidays. (The maximum of 8 is due to the fact that normal operating hours for the Town are Monday through Friday, 8 AM to 5 PM, with one hour for lunch.)

Exempt essential personnel are paid for a normal day. Additional hours worked beyond 8 per day are credited to comp time. Those working during periods when Town Hall is officially closed are credited with an additional straight time hour of pay for each hour Town Hall is closed, not to exceed 8 per day. This additional “premium pay” is not given on weekends or Town holidays. (The maximum of 8 is due to the fact that normal operating hours for the Town are Monday through Friday, 8 AM to 5 PM, with one hour for lunch.). For purposes of this policy ONLY, exempt employees will be allowed to exceed the 40 hours of comp time maximum. Hours earned in excess of 40 during an inclement weather period must be used within 6 months of the inclement weather period.

Overtime Pay and Comp-Time Provisions

Employees of the Town may be required to work overtime hours as needed by the Town and determined by the department head. The Town will comply with the Fair Labor Standards Act (FLSA) in compensating exempt and non-exempt employees.

Non-exempt employees will be paid at a straight time rate for hours up to the FLSA established limit for their position (usually 40 hours in a 7 day period). Hours for sworn, non-exempt law enforcement personnel shall be based on a 28-day cycle with compensation at overtime rates beginning after 171 hours worked in the cycle. Hours worked beyond the FLSA established limit will be compensated in either time or pay at the appropriate overtime rate. In determining eligibility for overtime in a work period, only hours actually worked shall be considered; in no event will vacation, sick leave, or holidays be included in the computation of hours worked for overtime compensation.

Whenever practicable, departments will schedule time off at the rate of time-and-a-half for each hour of overtime for non-exempt employees, instead of paying overtime, however, non-exempt employees must agree to receive comp-time in lieu of overtime wages. Exempt and non-exempt employees should be permitted (by the department head) to use the time off within a reasonable period, if it does not "unduly disrupt" the operations of the department. Non-exempt employees may not exceed a balance of 40 comp-time hours.

Employees in positions determined to be "exempt" from the FLSA overtime provisions (such as Executive, Administrative, or Professional staff) will not receive pay for hours worked in excess of their normal work periods. These exempt employees may be granted ~~comp-time~~ "extra hours worked" time off on an hour-for-hour basis as approved by the department head where the convenience of the department allows for any actual hours worked that exceed 40 in a workweek. Exempt employees may not exceed a balance of 40 ~~comp-time~~ "extra hours worked" hours. Exempt employees are not guaranteed such leave and will **not** be compensated for any remaining hours upon separation from the organization.

Note: In both cases, it is the responsibility of the employee and the department head to maintain records of the ~~comp-time~~ accrued hours and to record these hours on their departmental timesheets as they occur and forward them to Finance.

Retiree Health Insurance

An employee who retires directly from the Town and meets the conditions set forth under the provision of the North Carolina Local Government Employees' Retirement System (NCLGERS) for an unreduced benefit may be eligible for retiree health insurance under the guidelines set forth below.

Coverage Provisions:

Employees hired prior to May 1, 2011

Employees attaining 20 years of service with the Town at any age OR age 62 with 15 years of service with the Town may elect to continue on the Town's group health insurance plan until they ~~reach~~ **are eligible for Medicare coverage age (typically age 65)**, if requested within 30 days of the retirement date. The Town will cover 100% of the retiree-only monthly health insurance premium. Once the retiree **is eligible for** ~~has reached Medicare coverage age (typically age 65)~~, the retiree will no longer be eligible for coverage under the Town's group health plan, but the Town will provide a Medicare Supplement Plan and Prescription Plan **with at no monthly premium** cost to the retiree.

Health coverage will be extended to employees eligible to retire at age 62 after 5 years of service with the Town, ~~provided~~ **however**, the employee pays the **full** monthly premium.

Employees hired on or after May 1, 2011

Employees attaining 25 years of continuous full-time service with the Town may elect to continue on the Town's group health insurance plan until they reach Medicare coverage age (typically age 65), if requested within 30 days of the retirement date. The Town will contribute \$223.00 to the retiree-only monthly health insurance premium. Once the retiree ~~has reached~~ **is eligible for Medicare coverage age (typically age 65)**, the retiree will no longer be eligible for coverage under the Town's group health plan. At that time, the Town will contribute \$223.00 or 50% towards the retiree-only monthly premium of a Town approved Medicare supplement plan, whichever is less. The retiree is responsible for paying any balance of the premium after the Town's prorated portion has been applied.

A retiree that declines or cancels either the Pre-65 Retiree Health Insurance or Medicare Supplement and/or Prescription Plan will no longer be considered eligible for coverage for the declined/cancelled plan under this policy and therefore will not be eligible to attain coverage under that plan at later date.

Retirees are required to report any other group medical coverage which they may have at the time of retirement or which they may obtain subsequent to retirement so that benefits can be coordinated with the other insurance carrier. Any group coverage will be considered primary and the Town of Garner coverage will be secondary. Failure to report other coverage will be considered justification for the Town to terminate retiree coverage. Coverage may be affected if the retiree moves out of the Group Health Plan service area (i.e., limited access to in-network providers, etc.).

Dependents covered under the retiree's health plan at the time of the retiree's retirement are eligible to remain on the health plan at the retiree's expense. Dependent coverage is not available once the dependent becomes Medicare eligible or upon the retiree's death.

The retiree's portion of the premium is due to the Town of Garner by the first day of each month for that month's coverage. Failure to pay the Town for premiums within 30 days of the due date will result in termination of coverage. The Town reserves the right to discontinue or change the terms of this benefit at any time.

Staff Appeals Procedure

Policy

It is the policy of the town to provide a just procedure for the presentation, consideration and disposition of employee concerns and grievances. The purpose of this section is to outline the procedure and to assure all employees that a response to their complaints and grievances will be prompt and fair.

Definition and limitations

A grievance is a claim or complaint by an employee based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions.

Appeals involving a disciplinary suspension, involuntary demotion, **alleged discriminatory action**, dismissal or suspension of driving privileges by the town are initiated at Step 3 of the appeals procedure.

All **formal** appeals must be filed within twelve (12) scheduled working days of the date the final disciplinary decision is communicated to the employee. **Appeals filed beyond this deadline will not be considered, unless an exception is approved at the sole discretion of the Town Manager.**

Grievances concerning performance evaluations or performance awards may only be appealed up to Step 2 of the appeal procedure; however, department heads may appeal to the Town Manager.

Purposes

The purposes of the appeals procedure include, but are not limited to, the following:

Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;

Encouraging employees to express themselves about the conditions of work which affect them as employees;

Promoting better understanding of policies, practices, and procedures which affect employees;

Increasing employees' confidence that human resource actions taken are in accordance with established, fair and uniform policies and procedures; and

Increasing the sense of responsibility exercised by supervisors in dealing with their employees.

Procedure

When an employee has a grievance, the following successive steps are to be taken unless otherwise noted. The number of days indicated for each step shall be considered the maximum, unless otherwise provided, and every effort should be made to expedite the process. The time limits at any step, however, may be extended by mutual consent or due to unusual circumstances beyond the reasonable control of either party. The last step initiated by an employee shall be considered to be the step at which the grievance is resolved. Mechanical recording of all or part of any meeting is prohibited without prior agreement of all parties subject to being recorded. While all parties are entitled to seek legal advice, attorneys may not be present at administrative or investigative meetings related to the grievance. At each step, the individual responding to the grievance is encouraged to consult with any employee of the town, or others as appropriate, in order to reach a fair, impartial, and equitable resolution. All employees consulted during the appeals process are required to cooperate to the fullest extent possible. A decision to rescind a disciplinary suspension, demotion or dismissal must be approved in advance by the Town Manager.

- a. Informal grievance. The employee with a grievance is encouraged to resolve the grievance with the supervisor issuing the disciplinary action (or other decision being grieved) in an informal face-to-face meeting, before going on to the formality required in the following steps. Either the employee or the supervisor may involve the respective department head and/or Human Resources Director or **Analyst** as a resource to help resolve the grievance. Using the informal grievance does not change the appeals deadline unless both parties mutually agree to an extension. **The informal resolution step shall be initiated within 48 hours (or next regularly scheduled work day) of the employee being allegedly aggrieved and be completed within ten (10) working days from being notified of decision that led to the employee's concern.**
- b. Formal grievance. To be considered, an appeal must be filed in writing within the time limit described in this section and must include the full basis for the employee's complaints, all information which supports the employee's position, and a statement outlining what the employee wishes to have happen as a result of the appeal. **The employee will be notified in writing, within 48 hours of receipt (or next scheduled work day), if the written appeal is complete. If the written appeal is not complete, the employee will be told what is incomplete and have 48 hours (or next scheduled work day) to correct and re-submit. The employee will have one chance to correct and resubmit.**

Step 1: If no resolution to the grievance is reached informally, the employee who wishes to pursue an appeal shall present their appeal to the supervisor issuing the disciplinary action (or other decision being grieved) in writing. The appeal must be presented within ~~twelve (12) working days of the event or within twelve (12) working days of learning of the event or condition.~~ **seven (7) working days of being notified of the informal grievance not being resolved.** The supervisor shall have a response to the appeal delivered to the employee within twelve (12) working days after receipt of the **written** appeal. The response shall be in writing and signed by the supervisor. In addition, the employee shall sign a copy to acknowledge receipt thereof. The supervisor shall send copies of the appeal and response to the **department head and** Human Resources department.

Step 2: If the appeal is not resolved to the satisfaction of the employee by the supervisor, the employee may appeal, in writing, to the appropriate department head, within twelve (12) working days after receipt of the response received in Step 1. The department head shall respond to the appeal, stating his or her decision within twelve (12) working days after receipt of the appeal. Such response shall be in writing and shall be signed by the employee to acknowledge receipt. The department head shall send copies of the appeal and the response to the **Town Manager and** Human Resources department.

Step 3: If the grievance is not resolved to the satisfaction of the employee at the end of Step 2, the employee may appeal, in writing, to the Town Manager within twelve (12) ~~calendar~~ **working** days after receipt of the response from Step 2. The Town Manager shall respond to the appeal, stating the determination of decision within twelve (12) ~~calendar~~ **working** days after receipt of the appeal. **Based on the circumstances and any other extenuating factors, the Town Manager, at his or her sole discretion, may formally extend the time deadlines. The Town Manager will provide a written explanation for the extension and clearly communicate the new time deadlines to the employee. At the request of the employee or the Town and at the discretion of the Town Manager, a face-to-face or phone meeting may be requested. The request for consideration must be in writing and submitted to the Town Manager at the time of the appeal submission. A decision from the Town Manager to the face-to-face or phone meeting request will be provided within the twelve (12) working days after the appeals request is received. The Town Manager, at his or her sole discretion, will have the ability to determine the following:**

The granting of a face-to-face or phone meeting
The granting of a face-to-face or phone meeting outside the timeframe for requesting period
The participants of a face-to-face or phone meeting
The scheduling of a face-to-face or phone meeting
Whether any additional face-to-face or phone meetings will be required, if a first meeting is conducted

The Town Manager shall notify the department head of the final decision before submitting the decision to the employee. The Town Manager's decision shall be the final decision.

Grievance and adverse action appeal procedure; unlawful employment discrimination

Any town employee, or former town employee, who has reason to believe that any employment action, including promotion, training, classification, pay, disciplinary warning, disciplinary suspension, transfer, demotion, layoff, or termination of employment was based on age, sex, race, color, national origin, religion, or disability, has the right to appeal such action using the appeals procedure outlined in this **policy**, if he or she so desires. While employees are encouraged to use the progressive steps outlined in the appeals procedure, employees claiming discrimination shall have the right to appeal directly to the Town Manager (refer to Step 3 above).

A failure to demonstrate that unlawful discrimination was the basis for the act shall render the balance of the appeal moot.

Back Pay Awards

Back pay and benefits may be awarded to reinstated employees in disciplinary suspension, demotion, dismissal and discrimination cases.

Conflict with policies and regulations

No decision or determination of any grievance shall in any way conflict with the town policies, resolutions, ordinances or statutes applicable thereto.

Working A Second Job While on FMLA

D R A F T

Current Town policy prohibits secondary employment while on FMLA. Employees who are out of work under the provisions of FMLA are prohibited from engaging in any outside employment during the period of leave. Employees who work elsewhere while on FMLA are considered to have voluntarily terminated their employment with the Town.

Town policy would be amended to read as follows:

Employees who are out of work under the provisions of FMLA are prohibited from engaging in any secondary employment during what would be their normal scheduled workday. Employees on leave as a result of their own serious health condition are NEVER approved for secondary employment. Employees who work secondary employment while on FMLA during what would have been normal work hours are considered to have voluntarily terminated their employment with the Town. Police employees may work extra-duty assignments while on FMLA with prior approval from the Chief of Police, in consultation with HR. Each request will be reviewed on a case by case basis.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 26, 2016		
Subject: Garner Flag		
Location on Agenda: Discussion		
Department: Administration		
Contact: Rick Mercier, Communications Manager		
Presenter: Rick Mercier, Communications Manager		
Brief Summary: Staff has incorporated Council's requested revisions to the proposed Garner flag design.		
Recommended Motion and/or Requested Action: Provide Guidance		
Detailed Notes: Staff has been directed to design a Town flag. In a previous work session, Council reviewed an earlier draft design and requested revisions.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	RM	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



GARNER

Est. 1905



Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 26, 2016		
Subject: Consider Purchase of Property		
Location on Agenda: Discussion		
Department: Town Manager's Office		
Contact: Rodney Dickerson		
Presenter: Rodney Dickerson		
<p>Brief Summary:</p> <p>The Town Council will consider purchase of property located at 8025 Country Club Road, Garner NC for use as park, recreation or open space. The property consists of 120.81 acres and is currently developed as a golf course.</p> <p>The Council will also consider a proposed short-term lease back agreement.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Approve purchase contract and lease agreement.</p>		
<p>Detailed Notes:</p> 		
<p>Funding Source:</p> <p>Fund balance with declaration of reimbursement from future debt proceeds.</p>		
Cost: TBD	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost:
<p>Manager's Comments and Recommendations:</p> 		
<p>Attachments Yes: No: <input checked="" type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		